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Labor and Employment Law

December 22, 2005

VIA FAX AND MAIL

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**Re: Raymond Ware vs. Sidney Hayakawa, et al.
U.S.D.C. Civil No. 04-00671 HG LEK**

Dear Ms. Barbee and Mr. Helper:

This letter will confirm my conversation with Ms. Barbee on Monday in which I informed her that Lockheed-Martin ("Lockheed") did not perform the recertification testing involving Mr. Ware and thus Lockheed does not have any recertification testing documents that would be relevant to this litigation.

A subcontractor was used to perform the recertification testing that would have encompassed Mr. Ware. Lockheed's records do not reflect which subcontractor actually performed the recertification testing. However, it appears that the subcontractor would have been one of two companies – Alltech International, Inc. or Homeland Security Corporation.

As Ms. Barbee and I discussed, since Lockheed does not have in its possession or control any of the documents that Plaintiff is interested in receiving, I will attach this letter as an exhibit to Lockheed's Opposition to the Motion to Compel and request that the Motion be dismissed based on this new information.

If either of you have any questions, please do not hesitate to contact me.

Very truly yours,


Steven M. Nakashima

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EXHIBIT A